



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

SANDS COMMERCE CENTER III REVISED MAJOR MASTER & PHASE III FINAL SITE PLAN

Applicant:	Jeffrey H. Sands
Property Owner:	Jeffrey H. Sands
Agent for the Applicant:	Mathers Engineering William J. Mathers, P.E.
County Project Coordinator:	Peter Walden, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	S129-021
Application Type and Number:	DEV2019020018
Report Number:	2019_0604_S129-021_Staff_Report_Final
Application Received:	03/22/2019
Transmitted:	03/22/2019
Staff Report Issued:	04/09/2019
Revised Staff Report:	06/04/2019

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B. Project description and analysis

Request for a Revised Major Master and Phase Three Final Site Plan for the Sands Commerce Center located north of Martin Highway and adjacent to the Florida Turnpike. The project received a revised Master Plan and Final Site Plan approval on October 7, 2014 through the approval of Resolution 14-10.4. The property is zoned M-2 (Industrial District) and has a Future Land Use Designation of Industrial. The property is located inside the County's Primary Urban Services District, water and wastewater services will be provided by Martin County Utilities. Included in this application is a request for a certificate of public facilities reservation.

Sands Commerce Center I is an existing light industrial center consisting of five industrial warehouse buildings approved and constructed as separate phases between 1985 and 1990. The center was revised with added parking and a Preserve Area Management Plan (PAMP) with the revised Master and Final Site Plan that combined Center I and Center III and was approved in 2014.

Sands Commerce Center III is a proposed light industrial warehouse center located adjacent to and north of Sands Commerce Center I. The project originally received approval on April 3, 2007 with an approved Final Site Plan for Phase I.

The project received approval of a Revised Major Master and Phase I Final Site plan on March 6, 2017 through the adoption of Resolution 17-3.11. The first phase of development included Building #17 and all of the infrastructure to support Sands Commerce Center III was approved.

The phase II final site plan was for the construction of Building # 16 and the adjacent loading area along with 53 parking spaces. Building #16 is a one story, 126,000 square foot warehouse/ manufacturing and office facility. Phase II was approved on October 9, 2018.

The phase III final site plan is for the construction of building #15 and the associated parking area. Building #15 is a 200,000 square foot manufacturing and warehouse building. The construction of phase III will conclude the development of Sands Commerce Center III.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Peter Walden	219-4923	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Peter Walden	219-4923	Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Colleen Holmes	288-5794	N/A
J	Environmental	Shawn Mccarthy	288-5508	Comply
J	Landscaping	Karen Sjoholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Thomas Walker	288-5418	N/A
M	Engineering	David Moore	320-3057	Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Dan Wouters	219-4941	N/A
Q	ADA	David Moore	320-3057	Comply
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	219-1200	N/A
S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Peter Walden	219-4923	Comply

D. Review Board action

This application meets the threshold requirements for processing as a Major Master and Final Site plan amendment. As such, a review of this application is required by the County Administrator and final action by the Board of County Commissioners (BCC) at a public meeting. MARTIN COUNTY, FLA., LDR, ARTICLE 10

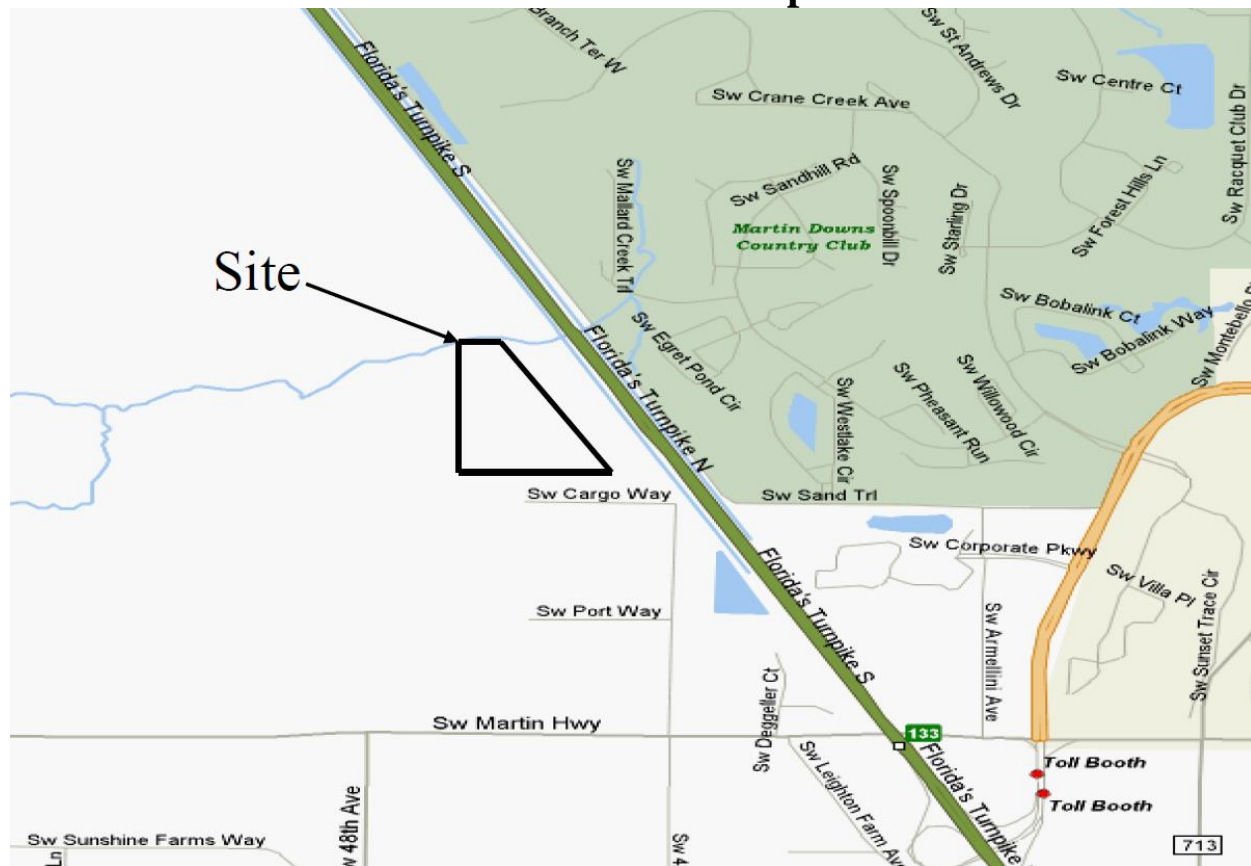
Pursuant to Section 10.4.A.1., Land Development Regulations, Martin County, Fla., a review of this application is not required by the Local Planning Agency (LPA).

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

E. Location and site information

Parcel number(s) and address:	14-38-40-000-0000.0-80000 4313 SW Cargo Way
Existing Zoning:	M-2, Industrial
Future land use:	Industrial
Census tract:	0017 Tract
Commission district:	5
Municipal service taxing unit:	District 5
Planning area:	North Mid

Location Map



Aerial



Existing and proposed uses of adjacent properties:

To the north; Canopy Creek community association common area and water management tract

To the south; Industrial park

To the east: Warehouse, industrial park

To the west; Vacant property zoned M-2 industrial

F. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department

The Martin County Comprehensive Growth Management Plan, Goal 4.1, Objective 4.1A., Policy 4.1.A.1., states: 'The County's existing Land Development Regulations shall be revised to conform to all guidelines and standards contained in this Plan and will:

- (1) Regulate the use of land and water consistent with this element and FLUM, while ensuring land use compatibility and providing open space;
- (2) Regulate the subdivision of land;
- (3) Protect environmentally sensitive lands, and incorporate minimum landscape standards;
- (4) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
- (5) Regulate signage;
- (6) Ensure safe and convenient on-site traffic flow and parking needs;
- (7) Protect potable water wellfields and aquifer recharge areas;
- (8) Protect endangered and threatened species and species of special concern and their habitats as defined in the Florida Game and Freshwater Fish Commission's official list or as determined as

regionally significant by the Treasure Coast Regional Planning Council;

- (9) Ensure that any development orders and permits issued do not result in a level of service (LOS) below the base level of service standards adopted in the Capital Improvements Element;.
- (10) Include provisions for the transfer of development rights to:
 - (a) Protect environmentally sensitive areas and/or historic resources and;
 - (b) Specify those receiving zones within the Primary Urban Service District that can accept additional density and where in-fill development allows for new development and redevelopment of previously underused portions of the Primary Urban Service District.

Staff has reviewed this application and finds that that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

Findings of Compliance:

Staff has reviewed this application and finds that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department

Findings of Compliance:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, zoning or procedural requirements issues associated with this application.

Additional Information:

Item #1: Timetable

Timetable Of Development - Final

The timetable of development for final site plans require all permits to be obtained within one year of approval and require all construction to be completed within two years of approval. MARTIN COUNTY, FLA., LDR, § 10.1., 5.32

H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department

N/A

When the Master Plan for the Sands Commerce Center III was approved on April 3, 2007 the Board approved an alternate compliance request of the applicant pursuant to Section 4.874 Land Development Regulations, Martin County Code, (2002).

I. Determination of compliance with the property management requirements – Engineering Department

N/A

No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla., (2010) which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

Environmental

Findings of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

Landscape

Findings of Compliance:

The Growth Management Department staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations regarding landscaping. The applicant has proposed a phased modification to an existing Major Final Site Plan for an office warehouse facility within an existing Industrial Park. The applicant has submitted landscape plans that provides 2.28 acres of landscape area which equates to 29% of the 348,012 s.f development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). This 2.28 acres includes 2.22 acres of surplus landscape area established with Phase 2. Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.

Section 4.663.A.3.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential development provide at least one tree per 2,500 sq. ft. of site area; a total of 139 trees for this project phase. To demonstrate compliance the applicant has proposed the planting of 139 additional trees.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. Martin County, Fla Section 4.663.B.1.a, (2013). Surrounding land use is industrial so non-compatibility buffers are not required.

Section 4.666.E.Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. There are no protected trees within this Phase 3 project area. To demonstrate compliance with Section 4.666.D., Land Development Regulations, Martin County, Fla. (2013) With Phase 1, the applicant previously proposed installation of 649 native tree credits to mitigate for the necessary tree removal requiring 645 credits. This tree mitigation satisfied requirements for all phases of this project.

Section 4.663.A.4.b.1, 2, , and 3., Land Development Regulations, Martin County, Fla. (2013) requires one 500 s.f. landscape area with 2 trees for each 5000 s.f. of interior vehicular use area. This phase of the project has 136,023 sq.ft. of paving requiring 54 additional 3” trees. To document compliance the applicant is proposing the installation of 54 native trees.

Alterations cannot be made to the plans after final site plan approval. Any alteration may require an application to amend the affected approved plans.

The applicant is cautioned to consider the placement of utilities and any underground or above ground site improvement that could cause a conflict with the landscaping and possibly cause a change or amendment.

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy and cause the applicant to begin the application process for a change or an amendment to the development order.

K. Determination of compliance with transportation requirements - Engineering Department

Findings of Compliance:

The Traffic Division of the Public Works Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:

Roadway capacity for 459,500 S.F. of general industrial use among the three proposed buildings was reserved through the payment of roadway impact fees on June 1, 2007. The Revised Master Site Plan proposed a reduction to 417,500 S.F. of general industrial use. This Revised Final Site Plan Phase 3 is consistent with the Revised Master Site Plan.

L. Determination of compliance with county surveyor - Engineering Department

N/A

The applicant has indicated that there are no proposed changes to the approved project boundary as part of the current application. Therefore, The Engineering Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4 of the Land Development Regulations. [MARTIN COUNTY, FLA., LDR §10.1.F (2016)]

M. Determination of compliance with engineering, storm water and flood management requirements - Engineering Department

Findings of Compliance:

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's finding is summarized after each:

1. Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that no excavation is proposed and fill will only be hauled to the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.

2. Division 9- Stormwater Management: The applicant has demonstrated the proposed development is included in the Master Stormwater Management System (ERP 43-02813-P) and the proposed development will not cause any changes to the master stormwater management system already in place.
 - a. The applicant is proposing the minimum finished floor elevation, as established within Master Stormwater Management System, be set above the predicted elevation of stormwater that will stage within the development after a 100-year storm having a three-day duration and without any discharge from the development.
 - b. The applicant demonstrated the Master Stormwater Management System provides the required water quality treatment volume for the proposed development.
 - c. Thereby, the required attenuation, flood protection, and water quality treatment is in compliance with Division 9.
3. Division 10 - Flood Protection: This site falls within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevation is set at least one foot above the current FEMA flood plain elevation of 17.0 NAVD; therefore, the applicant demonstrated compliance with Division 10.
4. Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14 for the proposed warehouse and office use.
5. Division 19- Roadway Design: The applicant is not proposing to make modifications to the existing entrance on SW Cargo Way; therefore, the proposed design meets the requirements in Division 19.

The Engineering Department finds this application in compliance provided the Development Order includes conditions for the following:

1. Hauling of fill from the site is prohibited. The routes and timing of any fill to be hauled to the site shall be coordinated with the County Engineer. Compliance with all County excavation and fill regulations is required.

Compliance with Adequate Public Facilities Ordinance:

This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

Addressing

Findings of Compliance:

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names meet all street naming Land Development Regulations in Article 4, Division 17, Land Development Regulations, Martin County, Fla. (2016).

Electronic File Submittal

Findings of Compliance:

The Information Services Department staff has reviewed the electronic file submittal and finds it in compliance with the applicable county requirements.

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2016)

Both AutoCAD site plan and boundary survey were in State Plane coordinates and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2016)

The AutoCAD boundary survey was received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2016)

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater Service

Findings of Compliance:

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

Wellfield and Groundwater Protection

Findings of Compliance:

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR [Article 4 Division 5] (2016)

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

Fire Prevention

Findings of Compliance:

The Fire Prevention Bureau finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department

Findings of compliance:

Staff has reviewed the second round of plans and have found the resubmittal is responsive to and compliant with the previous (ADA) comments dated 04/09/2018.

R. Determination of compliance with Martin County Health Department and Martin County School Board

Martin County Health Department

N/A

There are no onsite potable wells or septic disposal systems, pursuant to Section 10.1.F, LDR, Martin County, Fla. Therefore, the Department of Health was not required to review this application for consistency with the Martin County Codes.

Martin County School Board

N/A

The applicant has indicated that this application is for a non-residential project. Therefore the Martin County School Board was not required to review this application for school concurrency evaluation. MARTIN COUNTY, FLA., LDR §10.1.F.

S. Determination of compliance with legal requirements - County Attorney's Office

Review ongoing

T. Determination of compliance with the adequate public facilities requirements - responsible departments

The following is a summary of the review for compliance with the standards contained in Article 5.32.D of the Adequate Public Facilities, Land Development Regulations (LDR's), Martin County Code for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities (Section 5.32.D.3.a, LDR)

Service provider – Martin County

Findings – in place

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Sanitary sewer facilities (Section 5.32.D.3.b, LDR)

Service provider – Martin County

Findings – in place

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Solid waste facilities (Section 5.32.D.3.c, LDR)

Findings – in place

Source - Growth Management Department

Stormwater management facilities (Section 5.32.D.3.d, LDR)

Findings – positive evaluation

Source - Engineering Department

Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR)

Findings – in place

Source - Growth Management Department

Roads facilities (Section 5.32.D.3.f, LDR)

Findings – positive evaluation

Source - Engineering Department

Reference - see Section K of this staff report

Mass transit facilities (Section 5.32.D.3.g, LDR)

Findings - in place

Source - Engineering Department

Reference - see Section K of this staff report

Public safety facilities (Section 5.32.D.3.h, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section R of this staff report

A timetable for completion consistent with the valid duration of the development is to be included in the Certificate of Public Facilities Reservation. The development encompassed by Reservation Certificate must be completed within the timetable specified for the type of development.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Item #1:

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the list.

Item #2:

Post Approval Fees: The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.

Item #3:

Post Approval Impact Fees: Impact fees must be paid after the development order has been approved. Submit a check made payable to Martin County Board of County Commissioners within 60 days of

project approval.

Item #4:

Recording Costs: The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

Item #5:

One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.

Item #6:

Ten (10) 24" x 36" copies of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Fold to 8 by 12 inches.

Item #7:

Ten (10) copies 24" x 36" of the approved site plan and one (1) reduced copy 8 1/2" x 11".

Item #8:

Original approved site plan on Mylar or other plastic, stable material.

Item #9:

Ten (10) 24" x 36" copies of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.

Item #10:

Six (6) copies 24" x 36" of the approved revised master site plan. Fold to 8" x 12".

Item #11:

One (1) digital copy of site plan in AutoCAD 2006 or 2007 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item #12:

Original of the construction schedule.

Item #13:

Original of the Engineer's Design Certification, on the County format which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #14:

Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Regional Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.

V. Local, State, and Federal Permits

Permits:

The following permits must be obtained prior to scheduling a Pre-Construction meeting:

1. South Florida Water Management District (SFWMD) Environmental Resource Permit Modification
2. Florida Department of Environmental Protection (FDEP) NPDES Generic Permit for Stormwater Discharge for Large and Small Construction Activities

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$12,000.00	\$12,000.00	\$0.00
Inspection fees:	\$4,000.00		\$4,000.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact fees:	TBD		

* Advertising fees will be determined once the ads have been placed and billed to the County.

** Recording fees will be identified on the post approval checklist.

X. General application information

Applicant: Jeffrey H. Sands
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609-921-6060

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2431 SE Dixie Highway
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772-287-0525

Engineer: Mathers Engineering
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2431 SE Dixie Highway
Stuart, FL 34996
772-287-0525

Y. Acronyms

ADA Americans with Disability Act

AHJ Authority Having Jurisdiction

ARDP Active Residential Development Preference
BCC..... Board of County Commissioners
CGMP Comprehensive Growth Management Plan
CIE Capital Improvements Element
CIP Capital Improvements Plan
FACBC Florida Accessibility Code for Building Construction
FDEP Florida Department of Environmental Protection
FDOT Florida Department of Transportation
LDR..... Land Development Regulations
LPA Local Planning Agency
MCC..... Martin County Code
MCHD..... Martin County Health Department
NFPA National Fire Protection Association
SFWMD South Florida Water Management District
W/WWSA Water/Waste Water Service Agreement

Z. Attachments